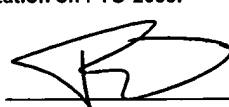


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PTO/SB/31 (08-03)

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NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		Docket Number (Optional) 90-11-1450	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on <u>3/4/03</u> Signature <u>[Signature]</u> Typed or printed name <u>Roy A. Kim</u>		In re Application of Sung, K.	
		Application Number 09/716,573	Filed 11/17/00
		For Child-Resistant Utility Lighter	
		Art Unit 3743	Examiner Cocks, J.
Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 1.17(b))		\$ <u>330.00</u>	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:		\$ <u>165.00</u>	
<input type="checkbox"/> A check in the amount of the fee is enclosed.			
<input checked="" type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>500703</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.			
I am the			
<input type="checkbox"/> applicant/inventor.		Signature	
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96)		<u>Roy A. Kim</u> Typed or printed name	
<input checked="" type="checkbox"/> attorney or agent of record. Registration number <u>51,883</u>		<u>(310-777-8399)</u> Telephone number	
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34(a). Registration number if acting under 37 CFR 1.34(a) _____		<u>3/3/04</u> Date	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.			
<input type="checkbox"/> *Total of _____ forms are submitted.			

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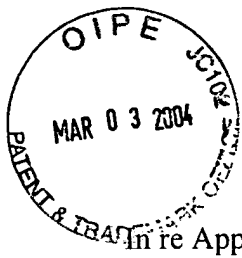
This collection of information is required by 37 CFR 1.191. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application)
SUNG)
5)
Serial No. 09/716,573)
Filed: 11/17/00)
Title:)
10 Child-Resistant Utility)
Lighter)
_____)

Primary Examiner: Cocks, J.
Group Art Unit: 3743

Atty Docket No.: 00-11-1450

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15 IDENTIFICATION OF CLAIMS FOR NOTICE OF APPEAL

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Sir/Madam:

Claims 16-19 have been rejected on at least 2 occasions, having received a final office
action rejection on July 30, 2002 and non-final rejections after Applicant's Request for
25 Continued Examination on March 24, 2003 and December 3, 2003. The claims for which
Applicant seeks appeal are claims 16-19 and are presented as follows:

16. A lighter comprising:

- a lighter housing,
- a fuel tank, located within the lighter housing, for holding the fuel,
- 30 a piezoelectric unit for creating a spark,
- a trigger, slidably mounted in the lighter housing, for activating the
piezoelectric unit, the trigger having a stopper tab,
- a fuel-release valve being spring loaded so as to be urged into the closed
position,

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a spring mechanism having a nonoperational position, an operational position, a first portion and a second portion, the first portion locks the trigger when the spring mechanism is in the nonoperational position, the second portion opens the fuel-release valve when the spring mechanism is in the operational position, the spring mechanism being urged into the nonoperational position, and

a safety button for moving the spring mechanism from the nonoperational position to the operational position.

17. A lighter comprising:

a lighter housing,

a fuel tank, located within said lighter housing for holding fuel,

a piezoelectric unit for creating a spark,

a trigger, slidably mounted in the lighter housing for activating the piezoelectric unit, said trigger having a stopper tab,

a fuel-release valve being spring-loaded so as to be urged into the closed position,

a spring mechanism having a non-operational position, an operational position, a first portion and a second portion, said first portion locks said trigger by interfering with said stopper tab when said spring mechanism is in the non-operational position, said second portion opens said fuel-release valve when said spring mechanism is in said operational position, said spring mechanism being biased into said non-operational position, and

a safety button for moving said spring mechanism from said non-operational position to said operational position by moving said first portion of

the spring mechanism out of interference with said trigger to allow depression of said trigger and activation of said piezoelectric unit.

18. A lighter comprising:

a lighter housing,

a fuel tank, located within the lighter housing, for holding the fuel,

a piezoelectric unit for creating a spark,

a trigger, slidably mounted in the lighter housing along a first axis, for activating the piezoelectric unit, the trigger having a stopper tab,

a fuel-release valve being spring loaded so as to be urged into the closed position, said

fuel release valve capable of movement along a second axis parallel to said first axis of said movement of said trigger,

a spring mechanism having a nonoperational position, an operational position, a first portion and a second portion, the first portion locks the trigger when the spring mechanism is in the nonoperational position, the second portion opens the fuel-release valve when the spring mechanism is in the operational position, the spring mechanism being urged into the nonoperational position, and

a safety button for moving the spring mechanism from the nonoperational position to the operational position.

19. A lighter comprising:

a lighter housing,

a fuel tank, located within said lighter housing for holding fuel,

a piezoelectric unit for creating a spark,

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a trigger, slidably mounted in the lighter housing for activating the piezoelectric unit, said trigger having a stopper tab,

a fuel-release valve being spring-loaded so as to be urged into the closed position,

a spring mechanism having a non-operational position, an operational position, a first portion and a second portion, said first portion locks said trigger by interfering with said stopper tab when said spring mechanism is in the non-operational position, said second portion opens said fuel-release valve when said spring mechanism is in said operational position, said spring mechanism being biased into said non-operational position, and

a safety button for rotationally moving said spring mechanism from said non-operational position to said operational position by moving said first portion of the spring mechanism out of interference with said trigger to allow depression of said trigger and activation of said piezoelectric unit.

Respectfully Submitted,

TROJAN LAW OFFICES

By



Roy A. Kim (51,883)

Dated: March 3, 2004

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